



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 6  
1445 ROSS AVENUE, SUITE 1200  
DALLAS TX 75202-2733

JAN 30 2018

Mr. Charles Johnson  
ADEQ Hazardous Waste Division Manager  
5301 Northshore Drive  
North Little Rock, Arkansas 72118-5317

Dear Mr. Johnson:

This letter follows the U.S. Environment Protection Agency (EPA) Region 6's End of Year Review of the ADEQ's Resource Conservation and Recovery Act (RCRA) hazardous waste program conducted with your staff via conference call on December 11, 2017. This review documented the state's progress toward meeting the negotiated 2017 work plan commitments in the Arkansas RCRA, Subtitle C, Section 3011 Cooperative Agreement.

Region 6 is pleased that Arkansas met or exceeded 2017 grant commitments. In the area of permitting and permit renewal, ADEQ is 100 percent permitted, and has no backlog of renewals.

We wish to acknowledge the State's timely reporting. Receiving complete reports on time helps EPA provide effective oversight and increases collaboration among my staff and their state counterparts.

The EPA is committed to continuing to work with the ADEQ to provide technical support and training, as needed.

We congratulate you and your staff for your hard work and commitment to protecting the environment and health of the people of Arkansas. If you have any questions after reviewing the enclosures, please call me at (214) 665-8022.

Sincerely,

*[Handwritten signature]*  
for Susan Spalding  
Associate Director for RCRA  
Hazardous Waste Branch  
Multimedia Division

Enclosures

cc: Scott McWilliams  
Jay Rich  
Terry Sligh

**STATE OF ARKANSAS**  
**RESOURCE CONSERVATION AND RECOVERY ACT (RCRA)**  
**HAZARDOUS WASTE GRANT PROGRAM**  
**2017 End-of-Year Report for D-00625117-1**

**PROGRAM ELEMENT #1 – AUTHORIZATION**

**Objectives:** *Objectives:* The authorization of States for revisions to the RCRA Subtitle C program supports the Agency objectives of safe waste management and cleanup at hazardous waste sites. The State and EPA maintain a strong commitment to the authorization of State programs, the enhancement of the State and Federal relationship, and to ensure full adoption and authorization for RCRA rules, as soon as possible, and:

1. Promote the Express Authorization initiative so that it is widely used by States by providing timely implementation assistance to States.
2. Reduce barriers to authorization, thereby expediting the authorization process.

**Performance Measure:** Rules adopted and checklists submitted for authorization demonstrate the State's commitment to participation in the RCRA program. The ADEQ and EPA will view rule adoption and authorization as measures of success.

**Activity A: EPA/State Authorization Coordination Activities**

**Task 1:** During the year, EPA and ADEQ will actively participate in identifying problems and developing solutions and strategies for the authorization process.

**Task 2:** The ADEQ will support EPA's codification of ADEQ's authorized hazardous waste program.

**Activity B: Maintain Equivalency to the Federal Program**

**Task 1:** The ADEQ will maintain equivalency to the Federal program during ADEQ-initiated program modifications - statutory, regulatory, and administrative.

**Task 2:** The ADEQ will notify EPA within sixty (60) days of any State legislation changes that could become a national concern or impact the State's authorized program. The State will submit to EPA regulatory changes and State-initiated program modifications - statutory, regulatory, and administrative.

**Activity C: EPA Review of Authorization Applications**

**Task 1:** The State will adopt revisions/components of RCRA Cluster XXIV

**Task 2:** EPA shall review draft applications and provide a complete set of comments on the same to ADEQ within forty-five (45) days of receipt of the application.

**Task 3:** Within 45 days after receipt of EPA's comments on the draft application for RCRA Cluster XXIV, and if there no regulatory deficiencies ADEQ will prepare and submit a final application to EPA for authorization of these clusters.

**Task 4:** EPA shall initiate the necessary actions to publish the decision on a final application within forty-five (45) days of the receipt of all responses to comments and settlement of any associated issues for that application.

## **EPA END OF YEAR COMMENTS:**

The State was authorized for RCRA Cluster XVI and RCRA Clusters XXII through XXIII effective October 11, 2016. The authorized rules were:

1. Revision of Wastewater Treatment Exemptions for Hazardous Waste Mixtures ("Headworks exemptions"),
  2. Burden Reduction Initiative,
  3. Correction to Errors in the Code of Federal Regulations,
  4. Hazardous Waste Technical Corrections and Clarification Rule.
- Conditional Exclusions for Solvent Contaminated Wipes, 6. Conditional Exclusion for Carbon Dioxide (CO<sub>2</sub>) Streams in Geologic Sequestration Activities, 7. Hazardous Waste Electronic Manifest Rule, and 8. Revisions to the Export Provisions of the Cathode Ray Tube (CRT) Rule.

## **RCRA CLUSTER XXIV**

The State has adopted the federal regulations in RCRA Cluster XXIV Rules. The Regulations in RCRA cluster XXIV are: Revisions to the Definition of Solid Waste, Vacatur of the Comparable Fuels Rule and the Gasification Rule and Disposal of Coal Combustion Residuals from Electric Utilities.

On September 14, 2017 EPA published a Federal Register notice (FR) to codify ADEQ's RCRA Cluster XVI and RCRA clusters XXII through XXIII into 40 CFR part 272. The effective date of the codification was November 13, 2017.

The State is commended in meeting its authorization commitments and also a National leader in terms of rule adoption and authorization.

## PROGRAM ELEMENT #2 - PERMITTING & CLOSURE

**Objectives:** The strategic goals for permit and closure activities at hazardous waste facilities are:

1. Demonstrate substantial progress in permitting land disposal and combustion facilities as determined by the GPRC permitting list of these facilities.
2. Demonstrate substantial progress in reducing risks at inactive land disposal sites.

Grant funds are provided to the State of Arkansas and ADEQ for managing the RCRA program. Targets in the work plan are one means to measure that progress and are not the only means that the state may use to demonstrate appropriate management of the RCRA program. As the universe of available facilities from which to code targets shrinks, EPA's expectation of annual targets will also shrink.

Activity	COMMITMENTS		
	RCRA Info Codes	2017 Targets	FY2017 End of Year Comments
*Final Determinations or Permit Modifications Incorporating New Units for Combustion Facilities (BIF, Incinerator or Miscellaneous Subpart X Units) <i>[GPRC facilities only]</i>	OP200/OP240 & OP270	1	ADEQ has approved one (1) permit modification to add a new waste code (K181) at Clean Harbors- El Dorado.  ACCOMPLISHMENTS: 1
*Final Determinations or Permit Modifications Incorporating New Units for Land Disposal or Storage Treatment Facilities <i>[GPRC facilities only]</i>	OP200 & OP270	1	ADEQ has approved one (1) permit modification to incorporate new storage unit (Tank 620 located in the Gondola Loading Building) at Clean Harbors – El Dorado.  ACCOMPLISHMENTS: 1
Final Determinations or Permit Modifications Incorporating Unpermitted Units at Land Disposal Post-Closure Facilities <i>[NON-GPRC facilities]</i>	OP200/OP240 PC200/PC240 & PC270	0	ADEQ is currently up to date on permit activities. There were no commitments for this activity.
Permit Renewals for Combustion Facilities, Land Disposal or Storage Treatment Facilities <i>[GPRC facilities only]</i>	OP200 & OP270	0	ADEQ has approved two (2) permit renewal applications from Koppers Inc. and Great Lakes Chemical Company.  ACCOMPLISHMENTS: 2
Closure Plan Approvals/Certifications/Verifications	CL360/CL380 & PC380	0	ADEQ approved closure of Lockheed Martin.  ACCOMPLISHMENTS: 1
Other EPA and/or State RCRA Permitting Priorities	No Code	0	ADEQ is currently up to date on permit activities. No activities.

\* ADEQ reserves the right to substitute a class 2 or 3 permit modification of an existing unit.

**END OF YEAR COMMENTS:** ADEQ is up to date on permitting targets. Renewal applications for permits expiring in FY2017 have been received from Ash Grove Cement Company and Esterline Armtec Countermeasures Company and are under technical review. In addition to the above accomplishments ADEQ completed 36 class 1, 2 class 2, and 1 class 3 permit modifications at various facilities.

**EPA TECHNICAL ASSISTANCE/PERMIT REVIEWS:** Technical review of the draft renewal permit was conducted by EPA for the Koppers Inc. facility.

### PROGRAM ELEMENT #3 - CORRECTIVE ACTION

Objective: The Corrective Action program has three overriding program goals:

1. Focus program resources and actions at GPRA priority facilities.
2. Maximize actual environmental results.
3. Streamline and accelerate the pace of the program.

RCRA Info Codes	Corrective Action Activity	FY2017 Targets	FY2017 End of Year Accomplishments
CA725	Human Exposures Controlled (total completed by End of Year)	0	CA 725 – Star Starrett-Leer, Southern Steel & Wire, Value Line Company  ACCOMPLISHMENTS: 3
CA750	Groundwater Releases Controlled (total completed by End of Year)	0	CA 750 – Star Starrett-Leer, Southern Steel & Wire, Value Line Company  ACCOMPLISHMENTS: 3
CA400	Entire Facility Remedy Selected/Corrective Measures	0	ADEQ is currently up to date on corrective action activities.
CA550	Entire Facility Remedy Completed or Construction	0	ADEQ is currently up to date on corrective action activities.
CA350 CA375 CA400	Corrective Measures (CMS) Reports Approved Decision on Petition for No Further Action Remedy Selected/CM Imposed (Unit Level)	2	CA350/CA400 – Aerojet Rocketdyne, Inc. CA375 – Southern Steel & Wire ACCOMPLISHMENT: 3
CA550 CA600 CA650 CA999	Remedy Completed or Construction Completed (Unit Level) Stabilization Measures Implemented Stabilization Measures Completed CA Terminated (Entire Facility) CA Terminated (Entire Facility)	2	CA550 – Aerojet Rocketdyne, Inc. CA999 – Star Starrett – Leer CA999 – Southern Steel & Wire CA999 – Enterprise TE Products Pipeline Company LLC – Calion  ACCOMPLISHMENTS: 4
	Other EPA and/or State Corrective Action Priorities	0	There were no commitments for this activity.

**EPA TECHNICAL ASSISTANCE/CORRECTIVE ACTION REVIEWS:** The following technical assistance was provided or Corrective Action documents were reviewed for technical and programmatic consistency with federal requirements. EPA provided ADEQ sampling assistance at Parker Solvent Co. the week of July 10, 2017. This facility is on EPA's GPRA baseline for corrective action and has limited funds for assessment and cleanup. All viable onsite and offsite monitoring wells (29) were sampled for volatile organic compounds (VOCs) in groundwater. Sample results will be used by ADEQ, and the Parker Solvents Co. to develop a conceptual site model in support of a final remedy.

Achievements/Projections for 30* Arkansas Facilities on the Region 6 GPRA 2020 Baseline as related to the 2020 GPRA Region 6 Goals									
	FY09	FY11	FY12	FY13	FY14	FY15	FY16	FY17	FY20 Goal
CA725 Human Exposures	30/31 (97%)	31/31 (97%)	31/31 (100%)	30/30 (100%)	30/30 (100%)	30/30 (100%)	30/30 (100%)	30/30 (100%)	29 (95%)
CA750 Ground Water	26/31 (84%)	29/31 (90%)	29/31 (94%)	28/30 (93%)	28/30 (93%)	28/30 (93%)	29/30 (97%)	29/30 (97%)	29 (95%)
CA400 Remedy Selection	25/31 (81%)	28/31 (87%)	28/31 (90%)	28/30 (90%)	28/30 (93%)	28/30 (93%)	30/30 (100%)	30/30 (100%)	29 (95%)
CA550 Construction Complete	20/31 (65%)	23/31 (74%)	24/31 (74%)	24/30 (80%)	24/30 (80%)	24/30 (80%)	25/30 (83%)	26/30 (87%)	29 (95%)
CA900/999 Performance Standards						14/30 (47%)	14/30 (47%)	14/30 (47%)	08 (25%)

\* In 2013, Cedar Chemical was removed from the baseline as it was listed on the Superfund NPL changing the baseline number from 31 to 30.

## CORRECTIVE ACTION STREAMLINING AND RE-USE ACTIVITIES WITH ADEQ

**Objectives:** The corrective action program is now driven by four new site-wide GPRA environmental indicators (EIs): the control of current human exposure (CA725), the control of the migration of contaminated ground water (CA750), remedy selected (CA400) and construction complete (CA550). EPA included the first two indicators as performance objectives for high-priority RCRA facilities to be achieved by the end of FY 2005, and subsequently set a new goal to achieve 95% completion for CA 725 and CA550 corrective action goals by FY 2020. ADEQ has made great progress over the past several years in instituting corrective action streamlining concepts into their cleanup program.

**Activity A:** Region 6 and ADEQ will continue to work together to further develop and implement practical, innovative, performance- and risk-based corrective action strategies to achieve both State and Federal cleanup goals and priorities. Streamlined approaches used during sampling, analysis, and document submittals will lead to smarter, faster work strategies resulting in long term protective remedies. Lessons learned from these approaches will be used to guide the way data is collected and analyzed for future site cleanup decisions in other state programs and regions.

**Activity B:** ADEQ will continue to support the RCRA Brownfields and Ready for Re-use programs.

**Activity C:** Region 6 and ADEQ will work together to implement the new land reuse measures and indicators pursuant to the EPA's February 21, 2007 "Guidance for Documenting and Reporting RCRA Subtitle C Corrective Action Land Revitalization Indicators and Performance Measures."

**Activity D:** ADEQ will assist Region 6 in obtaining and verifying land reuse measures and indicators information for the 2008 and 2020 GPRA baseline facilities which is not available in the RCRAInfo database. Such information may include:

- Cleanup status (e.g., CA 725, 750, 400, 550, 800, or 999) for site-wide or area-specific determinations;
- Institutional controls and/or engineering controls in place;
- Acres
- Types of use; and
- Status of use

**Activity E:** ADEQ and EPA will continue to work cooperatively in reviewing Arkansas's identified Federally Utilized Defense (FUD) site investigation and remediation reports. Comments resulting from those reviews will be shared with each other.

**END OF YEAR COMMENTS:** During the grant year, no new Ready for Reuse candidate facilities were identified. Five non-GPRA facilities were coded Ready for Anticipated Use (CA800) site wide as follows: Southern Steel and Wire (ARD03550818), Star Starrett/Leer Manufacturing (ARD041054552), Value Line 3<sup>rd</sup> Street (AR0000000331), Industrial Waste Control (ARD980496368), and Gurley Oil Pit (ARD035662469).

The Region is targeting FY18 to provide the IC/EC training for ADEQ Project Managers.

#### **PROGRAM ELEMENT #4 - PROGRAM MANAGEMENT**

**Objectives:** The EPA will transmit all significant guidance documents to ADEQ with a cover letter clearly stating the purpose of the documents. Within forty-five (45) days after receipt, ADEQ will provide EPA a written response identifying any problems with guidance implementation. The EPA and ADEQ will arrive at a solution/decision on guidance implementation pursuant to the EPA/ADEQ Memorandum of Agreement (MOA).

##### **Activity A: Quality Assurance**

The ADEQ must submit an updated FY2018 Quality Assurance Project Plan (QAPP) 60 days prior to August 1, 2017. If there have been no changes to the QAPP from FY 2017, ADEQ must submit a new signature page and documentation stating that the QAPP is current

##### **Activity B: Training**

The ADEQ will present the RCRA core curriculum courses or their equivalent as needed for new staff and ensure all ADEQ personnel are kept up-to-date in all new rules and regulations. Training for RCRA inspectors must be provided to ensure compliance with EPA Order 3500.1.

##### **END OF YEAR COMMENTS:**

The state's FY2017 QMP was submitted February, 2017, was approved as submitted, and is valid until February 2018, the FY 2017 QAPP was received July 11, 2017, was approved as submitted, and is valid until September 30, 2018.

ADEQ provided staff training and ensures that staff maintains required certifications. EPA's opportunities to present training, including authorization, RCRAInfo, and land revitalization, are restricted by the Agency's reduced travel budget. Region 6 is working to create online training where possible.

## **PROGRAM ELEMENT #5 - INFORMATION MANAGEMENT**

**Objective:** The ADEQ must maintain RCRAInfo databases in order to provide a complete and accurate picture of program accomplishments. The data retrieved from RCRAInfo should be reliable in order to support RCRA program goals.

The reporting of nationally-required RCRAInfo core elements is essential to properly review and track RCRA program progress at all RCRA-regulated facilities and identify the accomplishment of Government Performance and Results Act (GPRA) goals.

### **Activity A: RCRAInfo**

The ADEQ will enter all quality-assured RCRAInfo data into the EPA database by the seventh working day of each month. The ADEQ should review and improve the current RCRA universes to assure a nationally consistent information base. The ADEQ will make corrections to historical data in RCRAInfo as time and other workload commitments permit.

### **Activity B: Biennial Report (BR)**

ADEQ will collect, compile, perform quality assurance checks, and upload finished data for the 2015 Biennial Report in accordance with the 2015 Biennial Report National Implementation Schedule.

### **Activity C: Institutional Control (IC – CA772) and Engineering Control (EC – CA770) Information**

ADEQ will continue to enter into RCRAInfo and maintain updates for all institutional control (IC) and engineering control (EC) information necessary to adequately review and track RCRA program progress toward GPRA goals. The objective of collecting and tracking this information is to ensure that remedies implemented remain protective over time.

### **END OF YEAR COMMENTS:**

ADEQ enters RCRAInfo data into the database in a timely manner. At this time, there are no major issues with ADEQ's RCRAInfo data.

EPA will continue to review the historical RCRAInfo data in all modules for accuracy, work with ADEQ to research and correct the data and provide assistance and training with current data entry as needed.



**PROGRAM ELEMENT #6 - COMPLIANCE MONITORING**

**Objectives:** Before the FY2017 year begins, EPA and ADEQ had agreed on the universe of facilities from which Compliance Evaluation Inspections (CEI), Comprehensive Ground-Water Monitoring Evaluation (GME) and Operation & Maintenance Inspections (O&M) have been selected. Should the inspection universe for ADEQ change during the year, adjustments will be made to which facilities are inspected but not to the number of inspections to be conducted as the universe is expected to fluctuate throughout the year.

**Activity A: ADEQ Inspection Activities**

**Task 1:** EPA shall adhere to the Program MOA and Compliance Monitoring Strategy and National Program Managers Guidance regarding federal inspection activities and notice to ADEQ.

**Task 2:** ADEQ will conduct required inspections at hazardous waste facilities.

ACTIVITY	FY 2017 TARGETS	End of Year
Compliance Evaluation Inspections (CEIs)	11	35
Groundwater Monitoring Evaluations (GMEs)	1	1
Operation and Maintenance Inspections (OAMs)	3	7

Screen-printed jackets, caps, and shirts will be procured and issued to all ADEQ field staff for visibility and safety during routine compliance monitoring inspections, special investigations, and emergency responses. These items will have identifying information, making the field personnel easily recognizable to the public, regulated community, first responders, and other regulators.

**See attached Inspection & Enforcement Accomplishments' Report**

#### **PROGRAM ELEMENT #7 – ENFORCEMENT**

**Objective:**

Continue to maintain a high rate of compliance in accordance with the EPA Enforcement Response Policy (ERP) by taking timely, visible, and appropriate enforcement action against violators.

**See attached Inspection & Enforcement Accomplishments' Report**

## OTHER – SUSTAINABILITY

ADEQ continues to support the EPA R6 Sustainable Materials Management (SMM) Federal Green Challenge (FGC). Arkansas has one FGC participant in the FGC, the US Little Rock Post Office.

ADEQ promotes pollution prevention and sustainability through its two leadership award programs:

- ENVY Environmental Stewardship Awards are presented annually; and
- ADEQ TECH-e Award for innovation and technology

On March 20, 2017, The State passed two Acts: 858 and 317 to focus on voluntary environmental stewardship and to incentives used tires recycling.

On May 5, 2017, ADEQ announced it's 2017 winners for both awards at the State Capitol.

ADEQ also hosted a variety of pollution prevention, energy and food webinars and or trainings during January – May 2017.

ADEQ continues to support the RCRA State Sustainability Network and are available share to information across States.

ADEQ has a well-established webpage that promotes and engages employees for environmental stewardship and participation in the Environmental Management System. In addition, web resources include public outreach and education, pollution prevention strategies for industries and businesses, and financial resources for small businesses to prevent pollution.

As part of increasing sustainability efforts, Region 6 appreciates ADEQ's efforts in the following:

- \* Support for the current FGC participants
- \* Support for the RCRA State Sustainability
- \* Support for promoting environmental leadership

These efforts help the RCRA State Sustainability Network to learn and cross-share the successes of ADEQ's environmental, societal, and economic programs and opportunities that maximize benefits to the public.

Since these are voluntary programs, a state's participation is much appreciated and all state efforts will be viewed as enhancements to the overall RCRA program.

# FOLLOW-UP ITEMS

ACTION ITEM	AGENCY RESPONSIBLE	DUE DATE
IC/EC Training	EPA/Jeanne Schulze	FY2018

## ADEQ FY17 RCRA End-of-Year Insp & Enf Accomplishments 10/1/2016 – 9/30/2017

### EPA Goal 5: Protecting Human Health and the Env by Enforcing Laws and Assuring Compliance

- Current RCRA Compliance Monitoring Strategy and National Program Managers Guidance
  - Conduct CEIs at 100% (1) of **operating Federal** TSDF Universe (1)
    - 1) AR0213820707 Pine Bluff Arsenal (TSDF/LQG)
  - Conduct CEIs at 50% (4) of **operating non-Federal** TSDF Universe (8)
    - 1) ARD091688283 Aerojet Rocketdyne Inc (LQG/TSDF)
    - 2) ARD981512270 Ash Grove Cement Company (LQG/TSDF)
    - 3) ARD093417525 Austin Powder Company (SQG/TSDF)
    - 4) ARD069748192 Clean Harbors El Dorado LLC (LQG/TSDF)
    - 5) ARD089234884 Futurefuel Chemical Company (LQG/TSDF)
    - 6) ARD043195429 Great Lakes Chemical Central Plant (LQG/TSDF)
    - 7) ARD006354161 Reynolds Metals Company (LQG/TSDF)
    - 8) ARD981057870 Rineco Chemical Industries Inc (LQG/TSDF)
  - Conduct CEIs at 20% (36) of LQG Universe (182)  
(Determined based on the information in RCRAInfo no later than August 1 of each year. As of August 1, 2016, LQG universe consists of 182 facilities).

### **ADEQ Program Element # 6 – Compliance Monitoring**

**Objectives:** Before the FFY2017 year begins, EPA and ADEQ will agree on the universe of facilities from which Compliance Evaluation Inspections (CEI), Comprehensive Ground-Water Monitoring Evaluation (GME) and Operation & Maintenance Inspections (O&M) will be selected. Should the inspection universe for ADEQ change during the year, adjustments will be made to which facilities are inspected but not to the number of inspections to be conducted as the universe is expected to fluctuate throughout the year.

#### **Activity A: ADEQ Inspection Activities**

**Task 1:** EPA shall adhere to the Program MOA and Compliance Monitoring Strategy and National Program Managers Guidance regarding federal inspection activities and notice to ADEQ.

**Task 2:** ADEQ will conduct required inspections at hazardous waste facilities.

ACTIVITY	FY 2017 TARGETS	End-of-Year
Compliance Evaluation Inspections (CEIs)	11	35
Groundwater Monitoring Evaluations (GMEs)	1	1
Operation and Maintenance Inspections (OAMs)	3	7

Screen-printed jackets, caps, and shirts will be procured and issued to all ADEQ field staff for visibility and safety during routine compliance monitoring inspections, special investigations, and emergency responses. These items will have identifying information, making the field personnel easily recognizable to the public, regulated community, first responders, and other regulators.

# **ADEQ FY17 RCRA End-of-Year Insp & Enf Accomplishments 10/1/2016 – 9/30/2017**

## **EPA Goal 5: Protecting Human Health and the Env by Enforcing Laws and Assuring Compliance**

### **ADEQ Program Element # 6 – Compliance Monitoring**

#### **FEDERAL OPERATING TSDFs = 1 CEI (100% of target)**

1	AR0213820707	PINE BLUFF ARSENAL	06/20/17	LQG/TSDF
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#### **NON-FEDERAL OPERATING TSDFs = 7 CEIs (> 100% of target)**

1	ARD091688283	AEROJET ROCKETDYNE INC	01/18/17	LQG/TSDF
2	ARD981512270	ASH GROVE CEMENT COMPANY	06/28/17	LQG/TSDF
3	ARD093417525	AUSTIN POWDER COMPANY	06/13/17*	SQG/TSDF
4	ARD069748192	CLEAN HARBORS EL DORADO LLC	05/22/17	LQG/TSDF
5	ARD089234884	FUTUREFUEL CHEMICAL COMPANY	04/27/17*	LQG/TSDF
6	ARD981057870	RINECO CHEMICAL INDUSTRIES INC	05/22/17*	LQG/TSDF
7	ARD006354161	REYNOLDS METALS COMPANY	03/28/17	LQG/TSDF

\*included a FRR

#### **FULL ENFORCEMENT TSDFs = 3 CEIs**

1	ARD006344824	KOPPERS INC	01/17/17*	LQG/TSDF
2	ARD047335096	SENTINEL INDUSTRIES INC	04/25/17*	CESQG/TSDF
3	ARD047335922	SPORTING GOODS PROPERTIES INC	05/16/17	NOT ANY UNIVERSE/TSDF

\*included a FRR

#### **GMEs = 1 (100% of target)**

1	ARD000021998	LION OIL COMPANY	07/18/17*	LQG/TSDF
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\*included a FRR

#### **OAMs = 7 (> 100% of target)**

1	ARD091688283	AEROJET ROCKETDYNE INC	03/07/17	LQG/TSDF
2	ARD006337620	BALDWIN PIANO	12/20/16	NOT ANY UNIVERSE
3	ARD069748192	CLEAN HARBORS EL DORADO LLC	04/19/17	LQG/TSDF
4	ARD043195429	GREAT LAKES CHEMICAL CENTRAL PLANT	05/16/17*	LQG/TSDF
5	ARD049658628	MOUNTAIN PINE PRESSURE TREATING CO	11/08/16 & 05/02/17	NOT ANY UNIVERSE
6	ARD980745665	OLD MIDLAND PRODUCTS SITE	10/25/16 & 04/24/17	NOT ANY UNIVERSE
7	AR0000100859	UTILITY SERVICES INC	12/14/16	NOT ANY UNIVERSE

\*included a FRR

# **ADEQ FY17 RCRA End-of-Year Insp & Enf Accomplishments 10/1/2016 – 9/30/2017**

## **EPA Goal 5: Protecting Human Health and the Env by Enforcing Laws and Assuring Compliance**

### **ADEQ Program Element # 6 – Compliance Monitoring**

#### **LQGs = 23 CEIs**

1	ARD043558568	ALUMA-WELD d/b/a XPRESS BOATS	11/08/16
2	ARR000023309	ALVAR RESINS INC	07/17/17
3	AR0002349934	AMERICAN RAILCAR INDUSTRIES	09/07/17
4	ARD008049298	AMFUEL	09/06/17
5	ARD005935986	BAXTER HEALTHCARE CORPORATION	02/21/17
6	ARD983288572	BPS INC UNIT 2	03/28/17
7	ARR000002832	CATERPILLAR INC NLR	06/06/17
8	ARD021344700	DBG CONWAY	10/12/16
9	ARD091682443	DLM INC DIVISION OF SYSTEMS INC	02/14/17*
10	ARD006355341	EATON HYDRAULICS INC	05/17/17
11	ARD001700657	EL DORADO CHEMICAL COMPANY	08/03/17
12	ARD982562654	GENERAL CABLE INDUSTRIES INC	09/13/17
13	ARD075656454	GNB INDUSTRIAL POWER – A DIVISION OF EXIDE TECHNOLOGIES	03/21/17
14	ARR000017798	MCFARLAND CASCADE HOLDINGS INC	07/13/17
15	ARD093411684	SAINT-GOBAIN CERAMICS and PLASICS INC d/b/a SAINT-GOBAIN PROPPANTS	10/11/16#
16	ARR000010660	SENTINEL MANUFACTURING	03/29/17
17	ARR053746749	STELLA-JONES CORPORATION	12/12/16
18	ARD980630214	TEXAS EASTERN TRANSMISSION LP – NORTH LITTLE ROCK	10/11/16
19	ARD055685747	THOMAS & BETTS INC	02/22/17
20	ARR000021774	THORPE PLANT SERVICES INC	08/15/17
21	ARD983288499	TRIUMPH AIRBORNE STRUCTURES	02/28/17
22	ARD010304475	TRIUMPH PRECISION COMPONENTS-FABRICATIONS	04/27/17
23	ARR000016899	UNITED INITIATORS INC	04/24/17

\*SQG targeted as LQG

#CESQG targeted as LQG

#### **SQGs = 0 CEIs**

#### **CESQGs = 1 CEI**

1	ARR000025759	EVERETT PLATING INC (EPI)	11/09/16
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## **ADEQ FY17 RCRA End-of-Year Insp & Enf Accomplishments 10/1/2016 – 9/30/2017**

**EPA Goal 5: Protecting Human Health and the Env by Enforcing Laws and Assuring Compliance**

### **ADEQ Program Element # 6 – Compliance Monitoring**

**TOTAL CEIs = 35**

**TOTAL GMEs = 1**

**TOTAL OAMs = 9 @ 7 Facilities**

**Additional:**    Corrective Action Compliance (CAC) = 8 @ 4 Facilities  
                  Compliance Assistance Activity (CAV) = 4 @ 3 Facilities  
                  Focused Compliance Inspection (FCI) = 30 @ 22 Facilities  
                  Follow-up Inspection (FUI) = 0  
                  Financial Record Review (FRR) = 18 @ 10 Facilities  
                  Non-Financial Record Review (NRR) = 99 @ 23 Facilities  
                  Complaints Investigated = 81



## ADEQ FY17 RCRA End-of-Year Insp & Enf Accomplishments 10/1/2016 – 9/30/2017

### EPA Goal 5: Protecting Human Health and the Env by Enforcing Laws and Assuring Compliance

#### Timely and appropriate enforcement actions

By Day 150, SV or SNC determination

By Day 150, issue a warning letter or other appropriate notification of violation(s) to SVs or SNCs to put those violators on notice of violation(s)

By Day 240, SVs are required to return to compliance

By Day 240, unilateral or initial orders issued to SNCs, if appropriate

By Day 360, referral to State's Attorney General or

By Day 360, a signed Final or Consent Order

### ADEQ Program Element # 7 – Enforcement

**Objective:** Continue to maintain a high rate of compliance in accordance with the EPA Enforcement Response Policy (ERP) by taking timely, visible, and appropriate enforcement action against violators.

Issued 10/1/2016 – 09/30/2017

#### Informal Enforcement Actions = 82 to 79 Facilities (SNC = 14 Facilities)

Minimum days to issue = 0 (Day Zero)

Maximum days to issue = 431

Average days to issue = 63

Includes:

Written Informal (Code 120) = 65 to 62 Facilities (SNC = 1) ^

Letter of Intent to Initiate Enf Action (Code 140) = 7 (SNC = 7) \*

Proposed CAO (Code 149) = 10 (SNC = 7) #

	EPA ID NUMBER	Facility Name	Days to determine SNC	Days to Enf from Day Zero
1	ARD043558568	ALUMA-WELD D/B/A XPRESS BOATS	30 *	30
	ARD043558568	ALUMA-WELD D/B/A EXPRESS BOATS	#	316
2	ARD008049298	AMFUEL	15 *	15
3	ARD093417525	AUSTIN POWDER COMPANY	56 #	414 +
4	ARR000017574	CHEMOURS EL DORADO PLANT	27 #	29
5	ARD069748192	CLEAN HARBORS EL DORADO	29 *	29
6	ARD091682443	DLM INC DIVISION OF SYSTEMS INC	51 *	51
	ARD091682443	DLM INC DIVISION OF SYSTEMS INC	#	220
7	ARD983267105	EZ LOADER CUSTOM BOAT TRAILERS INC	31 #	372 +
8	ARR000017566	HINO MOTORS MANUFACTURING USA INC	36 #	364 +
9	ARD983272485	KISWIRE PINE BLUFF INC	57 #	253 +
10	ARD006344824	KOPPERS INC	57*	57
	ARD006344824	KOPPERS INC	#	203
11	ARR000007872	SEMCO LLC	0 ^	14
	ARR000007872	SEMCO LLC	#	160
12	ARD053746749	STELLA-JONES CORPORATION	37 *	37
13	ARR000021774	THORPE PLANT SERVICES INC	37 *	37
14	ARD981158405	UNIVERSITY OF ARKANSAS FOR MEDICAL SCIENCE	91 #	431 +

SNC determinations made within 150 days of Day Zero

+ Enforcement for 5 Facilities greater than 150 days of Day Zero

## ADEQ FY17 RCRA End-of-Year Insp & Enf Accomplishments 10/1/2016 – 9/30/2017

### EPA Goal 5: Protecting Human Health and the Env by Enforcing Laws and Assuring Compliance

#### Timely and appropriate enforcement actions

By Day 150, SV or SNC determination

By Day 150, issue a warning letter or other appropriate notification of violation(s) to SVs or SNCs to put those violators on notice of violation(s)

By Day 240, SVs are required to return to compliance

By Day 240, unilateral or initial orders issued to SNCs, if appropriate

By Day 360, referral to State's Attorney General or

By Day 360, a signed Final or Consent Order

### ADEQ Program Element # 7 – Enforcement

**Objective:** Continue to maintain a high rate of compliance in accordance with the EPA Enforcement Response Policy (ERP) by taking timely, visible, and appropriate enforcement action against violators.

Issued 10/1/2016 – 09/30/2017

#### **Formal Enforcement Actions = 12 to 7 Facilities (SNC = 6 Facilities)**

Includes:

Initial 3008(A) Compliance Order (Code 210) = 3 to 2 Facilities (SNC \*)

Final 3008(a) Compliance Order (Code 310) = 6 to 5 Facilities (SNC #)

Final Imminent Hazard Order (Code 320) = 2

RCRA to CERCLA Administrative Referral (Code 830) = 1 (SNC ^)

	EPA ID #	Facility Name	Days to determine SNC	Days to Enf from Day Zero
1	ARD084938737	ESTERLINE ARMTEC COUNTERMEASURES COMPANY	0 *	280
	ARD084938737	ESTERLINE ARMTEC COUNTERMEASURES COMPANY	#	400
2	ARD980867873	ESTERLINE ARMTEC COUNTERMEASURES COMPANY	28 *	517
	ARD980867873	ESTERLINE ARMTEC COUNTERMEASURES COMPANY	0 *	272
	ARD980867873	ESTERLINE ARMTEC COUNTERMEASURES COMPANY	#	637
	ARD980867873	ESTERLINE ARMTEC COUNTERMEASURES COMPANY	#	392
3	ARR0000026385	FORT SMITH PETRO ENVIRONMENTAL LLC	n/a	0
4	ARD983272485	KISWIRE PINE BLUFF INC	57 #	266
5	ARD006344824	KOPPERS INC	57 #	245
6	ARR000006957	STREET & PERFORMANCE INC	n/a	0
	ARR000006957	STREET & PERFORMANCE INC	56 ^	1981
7	ARD981158405	UNIVERSITY OF ARKANSAS FOR MEDICAL SCIENCE	90 #	596 +

+ Alternate Schedule for RCRA ERP requested 5/3/2017; approved to 12/31/2017

## ADEQ FY17 RCRA End-of-Year Insp & Enf Accomplishments 10/1/2016 – 9/30/2017

### EPA Goal 5: Protecting Human Health and the Env by Enforcing Laws and Assuring Compliance

#### Timely and appropriate enforcement actions

By Day 150, SV or SNC determination

By Day 150, issue a warning letter or other appropriate notification of violation(s) to SVs or SNCs to put those violators on notice of violation(s)

By Day 240, SVs are required to return to compliance

By Day 240, unilateral or initial orders issued to SNCs, if appropriate

By Day 360, referral to State's Attorney General or

By Day 360, a signed Final or Consent Order

### ADEQ Program Element # 7 – Enforcement

**Objective:** Continue to maintain a high rate of compliance in accordance with the EPA Enforcement Response Policy (ERP) by taking timely, visible, and appropriate enforcement action against violators.

### State Unaddressed SNCs = 8

	EPA ID #	Facility Name	Day Zero	SNY Date	Days to Determine SNC	Days Elapsed since SNC
1	ARD008049298	AMFUEL	09/06/17 CEI	09/21/17	15	9
2	ARD093417525	AUSTIN POWDER COMPANY	04/27/16 FCI	06/22/16	56	465*
3	ARR000017574	CHEMOURS EL DORADO PLANT	07/12/16 CEI	08/08/16	27	418*
4	ARD069748192	CLEAN HARBORS EL DORADO LLC	05/22/17 CEI	06/20/17	29	102
5	ARD983267105	EZ LOADER CUSTOM BOAT TRAILERS INC	08/08/16 CEI	09/08/16	31	387*
6	ARR000017566	HINO MOTORS MANUFACTURING U.S.A., INC	06/13/16 CEI	07/19/16	36	438*
7	ARD053746749	STELLA-JONES CORPORATION	12/12/16 CEI	01/18/17	37	255
8	ARR000021774	THORPE PLANT SERVICES INC	08/15/17 CEI	09/21/17	37	9

\*Alternate Schedule for RCRA ERP approved to 12/31/2017

Austin Powder requested 6/15/2017

Chemours El Dorado Plant requested 9/20/2017

EZ Loader Custom Boat Trailers requested 9/20/2017

Hino Motors requested 7/14/2017

## ADEQ FY17 RCRA End-of-Year Insp & Enf Accomplishments 10/1/2016 – 9/30/2017

### EPA Goal 5: Protecting Human Health and the Env by Enforcing Laws and Assuring Compliance

#### Timely and appropriate enforcement actions

By Day 150, SV or SNC determination

By Day 150, issue a warning letter or other appropriate notification of violation(s) to SVs or SNCs to put those violators on notice of violation(s)

By Day 240, SVs are required to return to compliance

By Day 240, unilateral or initial orders issued to SNCs, if appropriate

By Day 360, referral to State's Attorney General or

By Day 360, a signed Final or Consent Order

### **ADEQ Program Element # 7 – Enforcement**

**Objective:** Continue to maintain a high rate of compliance in accordance with the EPA Enforcement Response Policy (ERP) by taking timely, visible, and appropriate enforcement action against violators.

### **CM&E FACILITIES WITH VIOLATIONS NOT RETURNED TO COMPLIANCE GREATER THAN 5 YEARS (9/30/2012) (Does Not Include Bankrupt Facilities)**

1	ARD983268004	ALL STAR RECYCLING, LLC RCRAInfo Code 610 – Final Civil Judicial Action 3/13/2014 RCRAInfo Code 310 – Multimedia Compliance Order w/Water 4/30/2008	FCI – CFI	06/05/2007
2	ARD067677286	BEAN LUMBER COMPANY RCRAInfo Code 630 – Final Civil Judicial Action for Interim Corrective Action 9/15/2011	CEI	03/24/2011
3	ARR000021766	FORTY-NINER METALS MANAGEMENT, LLC RCRAInfo Code 510 – Initial Civil Judicial Action for Compliance and/or Monetary Penalty 11/21/2011	CEI	10/05/2010 *
4	ARD059636456	FRIT INDUSTRIES, INC Consent Admin Order (91-161) for groundwater remediation/monitoring	CEI	12/13/1989
5	ARD006348353	HAIRRELL LUMBER RCRAInfo Code 610 – Final Civil Judicial Action 10/6/2014	FCI – PAR	08/02/2012
6	ARR000006957	STREET & PERFORMANCE, INC RCRAInfo Code 830 – RCRA to CERCLA Administrative Referral 3/23/2017 RCRAInfo Code 320 – Final Imminent Hazard Order 2/14/2017; Contractor completed cleanup 3/23/2017 RCRAInfo Code 610 – Final Civil Judicial Action 3/28/2014	CEI	10/20/2011

\* Alternate Schedule for RCRA ERP approved to 12/31/2017

## ADEQ FY17 RCRA End-of-Year Insp & Enf Accomplishments 10/1/2016 – 9/30/2017

### EPA Goal 5: Protecting Human Health and the Env by Enforcing Laws and Assuring Compliance

#### Timely and appropriate enforcement actions

By Day 150, SV or SNC determination

By Day 150, issue a warning letter or other appropriate notification of violation(s) to SVs or SNCs to put those violators on notice of violation(s)

By Day 240, SVs are required to return to compliance

By Day 240, unilateral or initial orders issued to SNCs, if appropriate

By Day 360, referral to State's Attorney General or

By Day 360, a signed Final or Consent Order

### ADEQ Program Element # 7 – Enforcement

**Objective:** Continue to maintain a high rate of compliance in accordance with the EPA Enforcement Response Policy (ERP) by taking timely, visible, and appropriate enforcement action against violators.

#### SRF FY17 (November 15, 2017) Production Data Element 2a Long-Standing Secondary Violators = 12

1	ARD043195429	<b>GREAT LAKES CHEMICAL CENTRAL PLANT</b> RCRAInfo Code 310 – Final 3008(a) Compliance Order 7/19/2016 (250 days) Viols identified as SNC 6/26/2015 and SNN 11/20/2015; no RTC date
2	ARD055602098	<b>CRIDER AIRCRAFT PAINTING, INC.</b> RCRAInfo Code 310 – Final 3008(a) Compliance Order 5/9/2016 (256 days) Viols identified as SNC 10/16/2015 and SNN 5/9/2016; no RTC date
3	ARD059636456	<b>FRIT INDUSTRIES, INC.</b> RCRAInfo Code 310 – Final 3008(a) Compliance Order 9/17/1991 (354 days) CAO (91-161) for GW remediation/monitoring
4	ARD067677286	<b>BEAN LUMBER COMPANY</b> RCRAInfo Code 630 – Final Civil Judicial Action for Interim Corrective Action 9/15/2011 (175 days) (Bankruptcy) SNY 6/13/2011; SNN 9/15/2011; no RTC date
5	ARD084938737	<b>ESTERLINE ARMTEC COUNTERMEASURES COMPANY</b> RCRAInfo Code 310 – Final 3008(a) Compliance Order 8/1/2017 (400 days) Viols identified as SNC 6/27/2016 and SNN 8/1/2017; no RTC date
6	ARD980867873	<b>ESTERLINE ARMTEC COUNTERMEASURES COMPANY</b> RCRAInfo Code 310 – Final 3008(a) Compliance Order 8/1/2017 (392 days) Viols identified as SNC 7/5/2016 and SNN 8/1/2017; no RTC date
7	ARD981158405	<b>UNIVERSITY OF ARKANSAS FOR MEDICAL SCIENCE</b> RCRAInfo Code 310 – Final 3008(a) Compliance Order 9/29/2017 (596 days) Viols identified as SNC 5/11/2016 and SNN 9/29/2017; no RTC date
8	ARD981609571	<b>TRANSPORT SERVICE LLC</b> RCRAInfo Code 120 – Written Informal Code 2/24/2017 (3 days); no RTC date as of 11/15/2017; greater than 240 days from day zero and no RTC date and not designated as SNC <b>NOTE: RTC date 3/28/17 entered after 11/15/2017</b>
9	ARD982549479	<b>SAINT JEAN INDUSTRIES</b> RCRAInfo Code 120 – Written Informal Code 3/16/2017 (14 days); no RTC date as of 11/15/2017; greater than 240 days from day zero and no RTC date and not designated as SNC <b>NOTE: RTC date 4/26/17 entered after 11/15/2017</b>
10	ARD983268004	<b>ALL STAR RECYCLING, LLC</b> RCRAInfo Code 610 – Final Civil Judicial Action 3/13/2014 (2473 days) RCRAInfo Code 310 – Multimedia Compliance Order w/Water 4/30/2008 (330 days) Viols identified as SNC 10/31/2007 and SNN 4/28/2008; no RTC date
11	ARR000007872	<b>SEMCO LLC</b> RCRAInfo Code 310 – Final 3008(a) Compliance Order 10/9/2017 (221 days) Viols identified as SNC 3/2/2017 and SNN 10/9/2017; no RTC date

## ADEQ FY17 RCRA End-of-Year Insp & Enf Accomplishments 10/1/2016 – 9/30/2017

12	ARR000025064	<b>JORDAN GIVENS PROPERTY</b> RCRAInfo Code 310 – Final 3008(a) Compliance Order 11/24/2014 (213 days) CAO (14-045), payment plan for civil penalty Viols identified as SNC 6/26/2014 and SNN 11/24/2014; no RTC date
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NOTE: EPA HQs aware that these facilities which have been identified as SNC are not Long-Standing Secondary Violators. EPA HQs to implement the adjustment for the SNC identification (SNY) as part of the SRF Round 4 changes.